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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT TACOMA

10 STEIN DISTRIBUTING, INC.,

11                   Plaintiff,

12                   v.

13 PABST BREWING COMPANY, LLC,

14                   Defendant.

15 THE ODOM CORPORATION,

16                   Plaintiff,

17                   v.

18 PABST BREWING COMPANY, LLC,

19                   Defendant.

20                   Consolidated Case No. 3:17-cv-05150-RBL

21                   **DECLARATION OF GAVIN W. SKOK  
22 IN SUPPORT OF PLAINTIFFS'  
23 MOTION TO EXCLUDE EXPERT  
24 OPINIONS OF KIMBERLY  
25 CLEMENTS AND DANIEL LEVINE**

26                   I, Gavin W. Skok, declare and state as follows:

27                   1. I am an attorney representing Plaintiffs Stein Distributing, Inc. ("Stein") and The  
28 Odom Corporation ("Odom") in the above-captioned matter. I am over the age of 18, competent  
29 to testify, and have personal knowledge of the facts stated below.

1       2. Attached as **Exhibit A** is a true and correct copy of the Arbitration Award issued  
2 by Arbitrator Peggy Rasmussen on December 29, 2017 in the underlying arbitration between  
3 Plaintiffs and Defendant Pabst Brewing Company, LLC ("Pabst").

4       3. Attached as **Exhibit B** is a true and correct copy of the expert report of Plaintiffs'  
5 expert Michael Bellas regarding damages suffered by Odom, which Plaintiffs produced to Pabst  
6 on June 29, 2018.

7       4. Attached as **Exhibit C** is a true and correct copy of the expert report of Plaintiffs'  
8 expert Michael Bellas regarding damages suffered by Stein, which Plaintiffs produced to Pabst  
9 on June 29, 2018.

10       5. Attached as **Exhibit D** is a true and correct copy of the expert report of Plaintiffs'  
11 expert Robert Brown, which Plaintiffs produced to Pabst on June 29, 2018.

12       6. On July 17, 2018, Pabst served additional document requests on Plaintiffs, shortly  
13 before the rebuttal expert deadline of July 30. Many of the document requests mirrored  
14 document requests Pabst served on Plaintiffs earlier in the case.

15       7. Pabst also asked Plaintiffs to agree to an extension of time for Pabst's Rule  
16 26(a)(2)(D)(ii) rebuttal expert disclosures. Plaintiffs agreed to the extension. Plaintiffs also  
17 agreed to produce documents responsive to Pabst's July 17 document requests before the  
18 ordinary 30-day response time was up, ultimately producing documents on August 7.

19       8. Attached as **Exhibit E** is a true and correct copy of the expert report of Pabst's  
20 rebuttal expert Kevin Grambush regarding Stein, which Pabst produced to Plaintiffs on August  
21 14, 2018.

22       9. Attached as **Exhibit F** is a true and correct copy of the expert report of Pabst's  
23 rebuttal expert Kimberly Clements regarding Odom, which Pabst produced to Plaintiffs on  
24 August 14, 2018.

10. Attached as **Exhibit G** is a true and correct copy of the expert report of Pabst's expert Kimberly Clements regarding Stein, which Pabst produced to Plaintiffs on August 14, 2018.

11. Attached as **Exhibit H** is a true and correct copy of the expert report of Pabst's expert Daniel Levine, which Pabst produced to Plaintiffs on August 14, 2018.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 13th day of September, 2018 at Seattle, Washington.

By /s/ Gavin W. Skok  
Gavin W. Skok

## **CERTIFICATE OF SERVICE**

I certify that I am a secretary at the law firm of Fox Rothschild LLP in Seattle, Washington. I am a U.S. citizen over the age of eighteen years and not a party to the within cause. On the date shown below, I caused to be served a true and correct copy of the foregoing on counsel of record for all other parties to this action as indicated below:

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*Attorneys for Defendant*

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

EXECUTED this 13<sup>th</sup> day of September, 2018, in Seattle, Washington.

  
Courtney R. Tracy

**SKOK DECL. ISO MOTION TO EXCLUDE EXPERT OPINIONS -  
(No. 17-cv-05150-RBL) - 4**

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